

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

MEYNARD DESIGNS, INC. AND EARTH,
INC.

Plaintiffs and
Counterclaim-Defendants,

v.

EARTH PRODUCTS INC.

Defendant and
Counterclaim-Plaintiff.

EARTH PRODUCTS INC.

Third-Party Plaintiff and
Counterclaim-Defendant,

v.

PLANET, INC.

Third-Party Defendant and
Counterclaim-Plaintiff.

CIVIL ACTION NO. 05 cv 11781 NMG

NOTICE OF MANUAL FILING

Please take notice that pursuant to the Court's October 26, 2007 Order, Defendant Earth Products Inc. will be manually filing the following documents today:

- Defendant Earth Products Inc.'s Motion for Partial Summary Judgment of Invalidity of United States Trademark Registrations 2,249,826 and 2,199,118 and Memorandum in Support; and
- Exhibits D Through F to the Derrick W. Toddy Declaration in Support of Defendant Earth Products Inc.'s Motion for Partial Summary Judgment of Invalidity of United States Trademark Registrations 2,249,826 and 2,199,118.

These documents were not filed electronically because they have been filed under seal.

These documents have been served on all parties.

EXECUTED this 26th day of October, 2007, in Portland, Oregon.

Respectfully submitted,

By: /s/ Derrick W. Toddy
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that this Notice of Manual Filing was served by filing through the Court's ECF system and by e-mail on counsel for Plaintiffs:

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*Attorneys for Meynard Designs, Inc,
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Dated: October 26, 2007

By: /s/ Derrick W. Toddy
Derrick W. Toddy (*pro hac vice*)